

EXHIBIT

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

JAMEKA ELEAZER, )  
Plaintiff )  
vs. ) CASE NO. 1:24-cv-00777-DII  
ORACLE AMERICA, INC., )  
Defendant )

ORAL VIDEOTAPED DEPOSITION

JAMEKA ELEAZER

January 16, 2025

ORAL VIDEOTAPED DEPOSITION OF JAMEKA ELEAZER,  
produced as a witness at the instance of the Defendant  
and duly sworn, was taken in the above-styled and  
numbered cause on the 16th day of January, 2025, from  
10:11 a.m. to 3:04 p.m., before Chloe Salazar, Certified  
Shorthand Reporter in and for the State of Texas,  
reported by computerized stenotype machine at the  
offices of Deats Durst & Owen, PLLC, 8140 N. MoPac  
Expressway, Suite 4-250, Austin, Texas 78759, pursuant  
to the Federal Rules of Civil Procedure and the  
provisions stated on the record or attached hereto.

1 APPEARANCES

2

3 FOR PLAINTIFF:

4 Mr. Matt Bachop  
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7 E-mail: mbachop@ddollaw.com

8 FOR DEFENDANT:

9 Mr. Edward "Ted" Smith  
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10 1607 West Avenue  
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11 Telephone: (512) 328-1540  
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12 - and -

13 Ms. Jennifer Cotner  
14 ORACLE IN-HOUSE ATTORNEY

15 ALSO PRESENT:

16 Mr. Timothy Desadier (Videographer)  
Mr. Jack Queralt

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15 Q. And for your quarterly KPIs for FY23, so for  
16 the entire year of 2023, your average calls per week --  
17 Q3 were 56; Q2, 79; Q1, 34; is that right?

18 A. No.

19 Q. Those numbers are incorrect?

20 A. Yes.

21 Q. Why are those numbers incorrect?

22 A. Because the tool that Garrett got this from is  
23 not accurate.

9       Q.     In fact, Ms. Eleazer, sitting here today, you  
10 don't -- you don't know for certain what tool he used to  
11 pull from these numbers, right?

12       A.     I don't, but I know when I pulled my averages  
13 from ISR, they were completely different.

14       Q.     Do you have any documentation showing the  
15 numbers from the ISR that you pulled at that time?

16       A.     Yes.

17       Q.     Where is that?

18       A.     I sent it to y'all.

9           Q.     Did you look at the new tool when you were  
10 determining what your numbers were?

11           A.     I had glanced at it a few times, but we had  
12 stopped using that tool because at some point, you know,  
13 our whole team knew that the tool -- we talked about it  
14 on a call once. When it's, like, "Hey, that tool  
15 doesn't accurately report my -- my calls," and so  
16 Garrett's like, "Hey, just use ISR then." But multiple  
17 team members complained about that tool.

7           Q.     What -- how did he show you that you -- he  
8 didn't like you, in your opinion?

9           A.     I mean, Garrett was, like, super micromanager  
10 over me. He would pester me about things after hours.  
11 He would go in and change things on my deals without my  
12 permission. He would lower my opportunities without my  
13 knowledge or permission. He would ask me things that I  
14 didn't -- that he didn't ask other employees, like,  
15 "When are you flying? Send me your flight information."

16           Q.     How do you know he didn't ask other employees  
17 questions like that?

18           A.     Because I asked them.

19           Q.     All of them?

20           A.     I've asked the people I was close to on the  
21 team, like, "Does Garrett ever ask you, you know, for  
22 your flight details?" you know.

23                         He pestered me about a deal when I was  
24 out sick with COVID. He would, you know, talk to me as  
25 if he didn't believe me. He'd be, like, "Did you

Jameka Eleazer 1-16-2025

103

1 really, you know, talk to so-and-so?" Basically, "Do  
2 you have evidence of that? Can you send it over?"

3                   He had, in my opinion, went behind my  
4 back to one of the ISEs (phonetic) and asked if I had  
5 really had a call or set up something with a customer.

6                 Q.     Which ISE was that?

7                 A.     Brandon. His name was Brandon. I don't  
8 remember his last name, but I worked on Rouse's with  
9 him.

10                   THE REPORTER: Worked on what? I'm  
11 sorry.

12                   THE WITNESS: The account was Rouse's  
13 Enterprises, or Rouse's.

14                 A.     Hank and I shared that account. And when  
15 Hank, myself, and Brandon were talking, Brandon had said  
16 that, "Oh, well, Garrett already asked me, 'Did we  
17 discuss this?' and I told him, 'Yeah.' "

18                   And I was like, That's interesting. Why  
19 would -- why did Garrett, like, go ask him about  
20 something that I already told him had happened? But he  
21 went to go double-check with Brandon to make sure that  
22 conversation indeed happened.

23                   There was a lot of other instances that I  
24 think I documented. I can't remember all of them,  
25 but --

19 Q. Okay. And then you write in here, it says,  
20 "He Slacked me Monday 2/27 asking for an update, which I  
21 replied, 'I had no updates and that I was still out  
22 sick.' "

23 Do you think it was unprofessional for  
24 him to check on you on that Monday, February 27th?

25 A. Check on me or ask me about an update on a

Jameka Eleazer 1-16-2025

116

1 deal -- he asked me about an update on a deal that I was  
2 closing. He wasn't checking on me. He said, "What's  
3 the update with AWG" -- or -- I think it was AWG.

4 Q. Do you put that in there? It just says  
5 "update," right?

6 A. I had this call with Nicole and Denise, and  
7 I -- when I went through this, I -- we talked in full  
8 about it. So these are here as I walk through with my  
9 call, so I probably discussed in full on the call.

10 Q. So in here you say, "He Slacked me Monday 2/27  
11 asking for an update, which I replied, 'I had no updates  
12 and I was still out sick.'

13 "He then said, 'Oh, I thought you'd be  
14 feeling much better with the weekend going by.'"

15 You then say, "This response was  
16 completely unprofessional, unethical, and lacked  
17 compassion and empathy since I in fact had the flu."

18 What was unprofessional, unethical, or  
19 lacking compassion or empathy about the statement, "Oh,  
20 I thought you'd be feeling much better with the weekend  
21 going by"?

22 A. I feel like Garrett was being sarcastic just  
23 because of my previous interactions with him, my live  
24 previous interactions with him, just his tone. So when  
25 he was saying this in a Slack, I felt like it was

Jameka Eleazer 1-16-2025

117

1 sarcasm, plus, he had known that I had given him a  
2 doctor's note, like -- and that I was going to  
3 continuously be out and that he shouldn't be Slacking me  
4 about, "Oh, just because it's the weekend, you're  
5 supposed to be feeling better all of the sudden." Like,  
6 what does that mean? Because it's Friday, Saturday,  
7 Sunday, I -- I'm all the sudden not sick anymore? So it  
8 felt a bit unethical, and it felt like it lacked  
9 compassion because he assumed that I was just supposed  
10 to be better.

11 Q. And when you say he Slacked you this, this was  
12 written, not verbal, right?

13 A. It was on a Slack, I believe, yeah.

14 Q. So where are you getting the impression that  
15 this was sarcastic?

16 A. Just from my interactions with him live.  
17 Like, I just -- you -- someone's tone is -- that's how  
18 you hear it. If someone talks to you a certain way  
19 often, you know, you -- or they -- that's just what it  
20 felt like.

21 Q. "I then responded saying, 'The flu didn't just  
22 go away because the weekend went by. I'm still sick.'"  
23 That's what you wrote back?

24 A. Yeah.

25 Q. To your manager?

1 A. Yes.

2 Q. And then you said, "He then seemed upset and  
3 responded, 'Well, you didn't tell me you'd still be out  
4 sick and you need to notify me each day you will not be  
5 [sic] out sick.' "

6 You say, "Again, this response lacked  
7 professionalism, was unethical, rude, he was prying. He  
8 responded as if my uncontrollable sickness was a  
9 personal attack to him as my manager (a form of White  
10 supremacy). "

11 Again, this -- the only written statement  
12 that you're basing this on is what you wrote here,  
13 right: "Well, you didn't tell me you'd still be out  
14 sick, and you need to notify me each day you will be not  
15 out sick"?

16 Q. On the next page, Eleazer0310, you say, "Being  
17 shady/sneaky." What do you mean by that?

18 A. Oh, I meant when he went behind my back to  
19 speak to Brandon at the time. I felt it was pretty  
20 shady when I had already told you what happened, that  
21 you went to go double-check to make sure it was true.

22 And then changing my deals without my  
23 permission, going in and changing the amounts of my  
24 deals without my permission -- or without my knowledge  
25 or my AE's -- my ASE's knowledge, which they're on the

122

1 deal, as well. He was going in and changing the amounts  
2 and never notifying me. And, you know, I would just be  
3 like, Why did the amount change, you know?

2 Q. So if you could turn to Page 2 at the bottom,  
3 the actual page -- numbered Page 2.

4 You state in here, "Mr. Miller treated  
5 Ms. Eleazer worse than he treated the non-Black  
6 employees he supervised. By way of example, Mr. Miller  
7 would belittle Ms. Eleazer, asking her things like, 'Do  
8 you understand?' or, 'Do you feel competent enough to  
9 complete this task?'"

10 Were there any witnesses to these  
11 comments that you're alleging?

12 A. He might have asked this on the call with  
13 Nicole and Denise, but Nicole definitely said this to me  
14 before.

15 Q. Nicole said which of these statements to you  
16 before?

17 A. "Do you understand? Do you feel competent to  
18 complete this task?"

19 Q. Nicole said that to you or Mr. Miller said  
20 that to you?

21 A. They both have, but Nicole -- I just -- I  
22 believe they both addressed it on one of the live calls  
23 with Denise Choi, like, "There were times I was  
24 concerned about her competency."

25 But Nicole literally asked, "Do you feel

1 competent enough to do something? Do you understand  
2 what you're supposed to be doing?"

3 Q. And you felt that was belittling you?

4 A. Yes.

5 Q. Why?

6 A. Because I knew what I was doing. And I had  
7 done something in the system and I thought I submitted  
8 something in the system and it just didn't submit. I  
9 guess I just didn't press "Submit" or something.

10 And so when she came back to me, she was  
11 like, "What happened?"

12 I was like, "Oh, I thought I submitted  
13 it."

14 And she was like, "Oh, are you not  
15 competent? Do you feel like you're competent enough to  
16 work the system?"

17 And I was like, "Yeah. I just told you  
18 I -- I just didn't submit it. I thought I submitted it.  
19 Like, I thought I pressed 'Submit.' Maybe the screen  
20 didn't load." It just was -- yeah, it felt like a  
21 little bit of an attack.

22 Q. And I just want to be clear. You're saying  
23 that these statements were made by both Nicole Levitt  
24 and Garrett Miller?

25 A. For sure Nicole, and Garrett asked in his own

159

1 ways at times, yes.

20 Q. What was the deal that closed on the day of  
21 your termination?

22 A. It was an American Eagle deal.

23 Q. Another American Eagle deal?

24 A. Yes.

25 Q. Do you know what that deal was worth?

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A. It was in the 60Ks, I believe, for the annual.

173

Jameka Eleazer 1-16-2025

182

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2           FOR THE WESTERN DISTRICT OF TEXAS  
2           AUSTIN DIVISION

3 JAMEKA ELEAZER,                         )  
4 Plaintiff                                     )  
4   )  
5 vs.   ) CASE NO. 1:24-cv-00777-DII  
5   )  
6 ORACLE AMERICA, INC.,                     )  
6 Defendant                                     )

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8   REPORTER'S CERTIFICATE

9   ORAL VIDEOTAPED DEPOSITION OF JAMEKA ELEAZER

10   January 16, 2025

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12       I, the undersigned certified shorthand reporter in  
13 and for the State of Texas, certify that the facts  
14 stated in the foregoing pages are true and correct.

15       I further certify that I am neither attorney or  
16 counsel for, related to, nor employed by any parties to  
17 the action in which this testimony was taken and,  
18 further, that I am not a relative or employee of any  
19 counsel employed by the parties hereto or financially  
20 interested in the action.

21       \$\_\_\_\_\_ is the deposition officer's charges to  
22 the Defendant for preparing the original deposition and  
23 any copies of exhibits;

24       That pursuant to information given to the deposition  
25 officer at the time said testimony was taken, the

Jameka Eleazer 1-16-2025

183

1 following includes all parties of record and the amount  
2 of time used by each party at the time of the  
3 deposition;

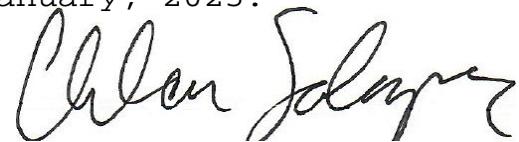
4 Mr. Matt Bachop (0h00m)  
5 Attorney for Plaintiff  
Mr. Edward "Ted" Smith (3h49m)  
6 Attorney for Defendant

7

8 SUBSCRIBED AND SWORN TO under my hand and seal of  
9 office on this 29th day of January, 2025.

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Chloe Salazar, CSR  
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Expiration: 5/31/26  
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